

PLANNED UNIT DEVELOPMENT
for
SC SPA
Port of Port Royal Tract

PLANNED UNIT DEVELOPMENT
&
REGULATING PLAN
Port Royal, South Carolina

Prepared for:
SOUTH CAROLINA STATE PORTS AUTHORITY

Submitted to:
TOWN OF PORT ROYAL
Port Royal, South Carolina

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SC SPA PORT OF PORT ROYAL TRACT
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ARTICLE 1.0 Introduction and Background

Sec. 1.1 Description of Property

The Port Royal Tract is the existing South Carolina State Ports Authority Port of Port Royal property totaling approximately 317 acres located at the end of Paris Avenue and bordered by Battery Creek to the south, the "Sands" to the East, Ribaut Road (HWY 802) to the north and west, and the South Carolina Rail Road Easement to the north and east with tracts of property beyond the easement as seen in Exhibit A.

Sec. 1.2 Principles of the PUD

Redevelopment of the Port of Port Royal property represents an opportunity to redefine a major connection to the water within the Town of Port Royal and Beaufort County. The Planned Unit Development (PUD) designation will allow for development that introduces design principles from traditional neighborhood design practice, the State of South Carolina State Ports Authority *Redevelopment Study* by Wood+Partners Inc. dated September 2006, the Town of Port Royal's *A New Vision for the Port* study by Design Collective, Inc. dated July 2004, and the Traditional Town Overlay District within the Town of Port Royal Code of Ordinances. These documents defined a vision for preserving and extending the Town's traditional character into the Port site through promoting a mix of land uses and residential types to support a variety of choices in lifestyles and needs of the citizens of Port Royal.

The purpose of the Port of Port Royal Tract PUD is to provide a process to evaluate and allow for the redevelopment opportunity within the Town of Port Royal. The governing documents of the PUD in order of precedence shall be the Development Agreement, the PUD text (this text), the regulating plan (Exhibit E) and the Town of Port Royal Code of Ordinances. The standards and procedures of this PUD are intended to promote flexibility in design and allow planned diversification, while at the same time providing the Town of Port Royal with limitations and regulations deemed necessary to protect the health, safety and welfare of its citizens.

Sec. 1.3 Environmental Assessment & Protection

As part of the redevelopment study of the property, a phase I Environmental Site Assessment (ESA) was undertaken. The letter (Exhibit D) and subsequent report dated April 27, 2005 from S&ME listed recognized environmental conditions. Based on the conclusions from the Phase I ESA, a preliminary Phase II ESA was conducted and is attached as Exhibit D-1. From the results of the preliminary Phase II ESA, SDHEC requested a follow-up Phase II ESA be conducted at the Seafood Processing Facility and is seen in Exhibit D-2. No further assessments were deemed necessary.

The Port Royal Tract includes approximately 266 acres of critical area wetlands abutting Battery Creek. The wetlands boundary has been surveyed and submitted to the U.S. Army Corps of Engineers for certification and is included as Exhibit C.

Sec. 1.4 Water and Sewer Service

Preliminary discussions with Beaufort Jasper Water and Sewer Authority (BJWSA) indicate a willingness to serve (Exhibit B) the property. Planning for the water and sewer systems will commence at the time of the Development Agreement and Planned Unit Development approval by the Town of Port Royal.

Sec. 1.5 Utility Services

Preliminary Discussions with South Carolina Electric and Gas (SCE&G) indicate a willingness to provide electrical power and gas to the property (Exhibit B).

Sec. 1.6 Storm Water Management

The Port Royal Tract PUD shall conform to all of the Storm Water Management Provisions of the Town of Port Royal, and all applicable state and federal requirements.

Sec. 1.7 Transportation Network

The vehicular access point locations shown on the Regulating Plan are preliminary and may be adjusted prior to final development tract master plan(s) approval. Planning, design and construction of these accesses, as well as roadways and transportation elements, shall be in accordance with SCDOT standards, Town of Port Royal Ordinances, and PUD standards. Typical road sections may be submitted for review prior to final tract master plan(s) approval.

Notwithstanding other provisions of this document and subject to approval by the Town of Port Royal, roadway design standards may be modified to reduce environmental impacts and increase tree preservation provided safety concerns are not compromised. Preservation of street vistas to the waterfront are encouraged wherever possible. Within the road Right of way and or easements, sidewalks and connections to the waterfront shall be required to provide many opportunities to connect to the public waterfront easement. Roadway widths and right-of-way widths narrower than allowed by Town Code may occur to achieve traditional neighborhood design principles and shall be submitted to the Port Redevelopment Design Review Staff (PRDRS) for review and approval.

ARTICLE 2.0 General Provisions

Sec. 2.1 Unified Control

The applicant for this PUD shall also be known as the Master Developer. The Master Developer shall furnish the Town Attorney with sufficient evidence that it is in complete, unified, and otherwise unencumbered control of the entire area of the proposed PUD whether the Master Developer is an individual, partnership, corporation, other entity, group or agency. The Master Developer shall provide all the necessary documents and information that may be required by the Town Attorney to assure the Port Royal Town Council that the development will be lawfully completed according to the plan sought to be approved. No application shall be considered until compliance with this requirement has been achieved.

Sec. 2.2 Phasing

Each phase of the development shall be so planned and related to the previous development, surrounding property, and availability of public facilities and services so that a failure to proceed with subsequent phases of the development will have no adverse impact on the completed phase(s) or surrounding properties.

Sec. 2.3 Variances to the Approved Regulating Plan

Because the general development standards of the PUD are contained in the approved Regulating Plan, and because the Regulating Plan normally takes into account those matters that might otherwise be the subject of variance review by the Zoning Board of Adjustment and Appeals (ZBA), modifications (major changes) to the approved general development standards, with the exception of non-substantial modifications (minor changes) as identified in Sec. 2.5.2, shall not be allowed, unless otherwise specifically provided for in the approved Master Plan. If not provided for, all such variances, or major changes, shall follow the procedures set forth in Chapter 22 Article IX of the Town of Port Royal Zoning Ordinances.

Sec. 2.4 Administration

Interpretation of the standards of the PUD shall be the Responsibility of the town. The town shall engage the services of qualified design professionals, including, but not limited to, an architect, and an engineer, for the purpose of reviewing plans for the compliance with the standards of the PUD. These design professionals along with the town's manager, planner and building codes staff will comprise the Port Redevelopment Design Review Staff (PRDRS). Appeals to decisions of PRDRS will go to the Town of Port Royal's Traditional Overlay Design Review Board.

Sec. 2.5 Modifications to Approved Regulating Plan

Whenever an application is made to modify the approved Regulating Plan, the modification shall be classified as either a substantial or non-substantial modification.

2.5.1 Substantial Modification (Major Changes). Substantial modifications require approval of the Town Council. Notification of such modification shall follow the notification procedure in Section 22-203 of the Town of Port Royal Zoning Ordinances. The Planning Commission shall make a recommendation to the Town Council.

The following criteria shall be used to identify a substantial modification:

- a. A change that would alter an approved land use classification except when there is a reduction in density, intensity, or a conversion as allowed within this PUD.
- b. A change that would include a use not previously permitted.

- c. A change that would require an amendment to the PUD conditions approved by the Town Council.
- d. A change to the phasing, if adopted, that would propose a land use in advance of the development it was designed to support.
- e. Zoning District Boundaries provided that the allowed base densities and conversions are not exceeded.

2.5.2 Non-substantial Modification (Minor Changes). Non-substantial amendments to district and community development standards approved for the PUD can be allowed. Specified staff is authorized to approve the following modifications:

- a. Location of roadways and access points provided there is no reduction in public access. Responsible Staff: PRDRS.
- b. Conversion of Land-Uses as outlined below and density exchange between zoning districts provided that density within the district is not exceeded. Responsible Staff: PRDRS.

Sec. 2.6 General Provisions

2.6.1 Introduction. Within the PUD, four zoning districts have been established. Each district corresponds to a land use classification which has been assigned to various tracts within the approved PUD regulating plan (Exhibit E). Each zoning district has designated land uses and development standards (Article 3.0) which are based on the intended character of each district. In addition to those land uses and standards, development shall comply with general community development requirements and standards in Article 5.0. Refer to Table 1.0 for Zoning Districts.

2.6.2 Master Plans. Once the PUD has been approved by the Port Royal Town Council, a developer of a tract or tracts within the PUD shall be required to submit a Master Plan for approval by the Planning Staff prior to submission of a subdivision plat or a site development plan. Subsequent subdivision of land and site development plans will be reviewed by applicable departments and agencies.

Master Plan submittal for the tract(s) shall contain the following:

- a. Zoning district classification.
- b. Total tract acreage.
- c. Number of proposed residential dwelling units and gross upland density, if applicable.
- d. Plan illustrating single family detached lots and building footprints for attached residential, multifamily residential and non-residential land-uses.

- e. Proposed non–residential square footages and land uses.
- f. Buffers and setbacks.
- g. Curb cut locations on primary roads, internal road systems (if applicable), and connectivity to adjacent tracts (if applicable).
- h. Sidewalks, boardwalks and pathways, and public access easements, including widths.
- i. Phasing for the development of the tract.
- j. Any development condition(s) that may be part of a development order and/or design directives.
- k. Open space, including identification of passive and active recreational areas, pedestrian access ways, easements, storm water drainage ponds and wetland areas.
- l. A Concept Master Plan for storm water, water and sewer, site lighting and landscape areas shall also be submitted. A traffic study for the tract shall be required if requested by the PRDRS.

Sec. 2.7 Enforcement

See Chapter 22 Article VII of the Zoning Ordinance in the event that there are discrepancies.

ARTICLE 3.0 Zoning Districts

Sec. 3.1 Establishment of Districts

The following zoning districts are hereby established. Each district corresponds to land use classifications and encompass specified tracts of land as shown on the approved Regulating Plan (Exhibit E). Each district has designated and allowed land uses (Sec. 3.3) and development standards (Sec. 3.5), which are based upon the character of each development area.

Table 1.0 Zoning Districts

| Zoning District Names | Zoning District | Land Use Classification | Tracts Encompassed |
|------------------------------|------------------------|--------------------------------|---------------------------|
| Bluff Neighborhood | BN | Residential Mixed Use | BN |
| Marina Village | MV | Marina Mixed Use Village | MV |
| Port Village | PV | Hotel Mixed Use Village | PV-1 through PV-5 |
| Civic Open Space | COS | Civic Open Space | COS |

Sec. 3.2 Measurement of Standards

All measurements in this section shall be computed as follows.

3.2.1 Area

Area shall be measured in gross square feet and/or acres.

3.2.2 Setbacks and Yards

All setbacks and yards shall be measured from the property line, unless otherwise identified herein, and are development setbacks.

3.2.3 Density

Density shall be measured in gross upland acres minus critical area wetlands. Upland and fresh water wetland areas (if applicable) shall be included in the gross upland acre density calculations.

Sec. 3.3 Allowed Land Uses

Land uses permitted within each zoning district are located Table 2.0. A use permitted as a matter of right is identified with the symbol "✓". Where there is no symbol, the use is not permitted. If a use has development conditions, the section where the conditions are located is also provided within the table. Use definitions are located in Article 6.0.

Table 2.0

Allowed Land Use Matrix

Key:

Planning Districts

- 1. Bluff Neighborhood Residential Tract = BN
- 2. Marina Mixed Use Village = MV
- 3. Port Hotel Mixed Use Village = PV1 through PV5
- 4. Civic Open Space = COS
- ✓ = Allow land use within district.

| Land Use | Planning Districts | | | | | | | | Use Standards |
|--|--------------------|----|-----|-----|-----|-----|-----|-----|-------------------|
| | BN | MV | PV1 | PV2 | PV3 | PV4 | PV5 | COS | |
| Accessory Dwelling | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 4.2 |
| Accessory Structure | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 3.54 |
| Accessory Use | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Amusement or Recreation Activities - Carried on Wholly in a Building | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Animal Hospital, Veterinary Clinic, Grooming (No Boarding) | | ✓ | | ✓ | ✓ | ✓ | ✓ | | |
| Antique Shops | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Artist Studio and/or Gallery | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Assisted Living (Care Home) | | | | ✓ | ✓ | ✓ | ✓ | | |
| Auto Parking Lot or Garage (No Gas, Hourly & Daily) | | | | ✓ | ✓ | ✓ | ✓ | | |
| Banks | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Bicycle Shop & Sporting Goods | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Book and/or Stationary Store | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Boat Repair and Garage | | ✓ | | | | | | | |
| Ceramic Studio and/or Shop | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Child Care Center | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Clothing Stores and Dry Goods | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Churches and Places of Worship | | | | ✓ | ✓ | ✓ | ✓ | | |
| Club or Lodge | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Community Recreation | ✓ | | | ✓ | ✓ | ✓ | ✓ | | |
| Convenience Store | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Craft Shops | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Dwelling, Multi-Family | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 3.5.1,3.5.2,3.5.3 |
| Dwelling, Single Family Detached (excludes mobile homes) | ✓ | | | ✓ | ✓ | ✓ | ✓ | | 3.5.3 |
| Dwelling, Single Family Attached | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 3.5.1,3.5.3 |
| Eleemosynary or Philanthropic Institutions | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Electronic Sales and Service | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Florist Shops | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Food Stores & Drug Stores | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Funeral Homes | | | | ✓ | ✓ | ✓ | ✓ | | |
| Grocery, Bakery, Pastry Shop, Coffee Shop, & Similar Neighborhood Facilities | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Hobby and Toy stores | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Home Furnishing and/or Hardware Stores | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | | |
| Home-based Business | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Hospital & Care Homes | | | | ✓ | ✓ | ✓ | ✓ | | |
| Hotel, Motel | | | ✓ | ✓ | ✓ | ✓ | ✓ | | 3.5.3 |
| Inn (up to 15 Rooms) | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Interior Decorating Business | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Jewelry Stores | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Laundromats / Dry Cleaning | | ✓ | | ✓ | ✓ | ✓ | ✓ | | |
| Leather Goods and Luggage Shops | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Limited Use Retail Shop | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Model Homes/Sales Center | ✓ | | | ✓ | ✓ | ✓ | ✓ | | |
| Marina | | ✓ | ✓ | | | | | | |
| Marine Store and Fishing Supply Store | | ✓ | ✓ | ✓ | | ✓ | ✓ | | |
| Music Store | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Museum and Library | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | limited 3.5.4(a) |
| Neighborhood Commercial Use Retail & Service | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Newsstand | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Office General | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Office Medical | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Office Professional | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Photography Stores and Studios | | ✓ | | ✓ | ✓ | ✓ | ✓ | | |
| Post Office | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Public Use | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Public Utilities | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Public Parking | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Salon and Health Spa | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| School & Institution | | | | ✓ | ✓ | ✓ | ✓ | | |
| Seafood Processing | | ✓ | | | | | | | |
| Recreation Vehicle and Boat Storage | | ✓ | | | | | | | 3.5.2 |
| Restaurants (Alcohol Service Allowed) | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 3.5.2 |
| Tailor Shop | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Temporary Uses | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Theater (other than Drive-in) | | | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Travel Agency | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Wireless Communication Towers and Facilities | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 3.1 |

Sec. 3.4 Master Development Summary

A. Overall Redevelopment Plan

Total Acreage: 316.79 Ac of Upland and Marsh Area
50.88 Ac of Upland
265.91 Ac of Marsh Area

| | |
|-----------------------------------|--------------|
| Total Dwelling Units: | +/-480 DU's |
| Upland Density: | +/-9.5 DU/AC |
| Total Dedicated Civic Open Space: | +/-12.8 AC |
| Additional Open Space at 5%: | +/-1.9 AC |
| Total Non-Residential Land Use: | +/-90,000 SF |

1. **Dwelling Units:**

| | |
|---------------------------------|-----------------------|
| Single Family Detached: | +/-48 Dwelling Units |
| Single Family Attached: | +/-80 Dwelling Units |
| Multi Family: | +/-212 Dwelling Units |
| Hotel (Inn and/or Condo Hotel): | +/-140 Units / Suites |

| | |
|-----------------------|------------------------|
| Total Dwelling Units: | +/- 480 Dwelling Units |
|-----------------------|------------------------|

2. **Non-Residential Land Uses:**

| | |
|--|---------------|
| Commercial, Retail, Office, Light Industrial | +/- 90,000 SF |
|--|---------------|

3. **Marina:**

| | |
|--|---------------------|
| Boat Slips (with 10 slips to be provided for public use) | +/-225 Slip Marina |
| Large vessel portage dock adjacent to hotel | +/-600 LF |
| Existing Pier (existing dock at end of London Ave may remain) | +/- 600 Existing LF |

4. **Parks and Open Space:**

| | |
|-------------------------------------|------------|
| Bluff Neighborhood Civic Open Space | +/-1.2 Ac |
| Paris Avenue Civic Open Space | +/-1.0 Ac |
| London Avenue Civic Open Space | +/-10.6 Ac |

Plus Additional Pedestrian Easements, Landscape Areas and Open Spaces at 5% of Remaining Upland Area at +/- 1.9 AC.

5. **Dwelling Unit Conversions:**

Total dwelling units and upland densities listed in this development summary, and subsequent sections, establish the base densities from which land use conversions will be applied as outlined in Article 3.5.

B. Bluff Neighborhood

Total Upland Acreage: +/- 21.8 Ac

| | |
|------------------------------|-------------|
| Total Dwelling Units: | +/-130 DU's |
| Net Upland Density: | +/- 6 DU/AC |
| Dedicated Civic Open Space: | +/-1.2 AC |
| Additional Open Space at 5%: | +/-1.0AC |

1. Residential Dwelling Units:

| | |
|--|-----------------------------------|
| Single Family Detached: | +/- 48 Units or 36% of Total DU's |
| Single Family Attached: | +/- 40 Units or 30% of Total DU's |
| Multi Family: | +/- 42 Units or 34% of Total DU's |
| (Large Homes at 12 DU's or 30% of MF) | |
| (Condominiums at 30 DU's or 70% of MF) | |

| | |
|-----------------------|------------------------|
| Total Dwelling Units: | +/- 130 Dwelling Units |
|-----------------------|------------------------|

2. Parks and Open Space:

Bluff Neighborhood Civic Open Space: +/-1.2 AC
Plus Additional Pedestrian Easements, Landscape Areas and Open Spaces at 5% of Remaining Upland Area at 1.0 AC.

C. Marina Village

Total Upland Acreage: +/- 3.9 Ac

| | |
|---------------------------------|---------------|
| Total Dwelling Units: | +/-10 DU's |
| Upland Density: | +/- 2.5 DU/AC |
| Additional Open Space at 5%: | +/- 0.2 AC |
| Total Non-Residential Land Use: | +/- 20,000 SF |

1. Residential Dwelling Units:

| | |
|---|--------------|
| Multi Family: | +/- 10 Units |
| (Dwelling Units in Mixed Use Area over Non-residential Land Uses and or attached single family) | |

| | |
|-----------------------|-----------------------|
| Total Dwelling Units: | +/- 10 Dwelling Units |
|-----------------------|-----------------------|

2. Non-Residential Land Uses: +/- 20,000 SF

Commercial, Retail, Office, Light Industrial

3. Parks and Open Space:

Plus Additional Pedestrian Easements, Landscape Areas and Open Spaces at 5% of Remaining Upland Area at +/-0.2 AC.

D. Port Village

Total Upland Acreage: +/- 24.6 Ac

| | |
|---------------------------------|---------------|
| Total Dwelling Units: | +/-340 DU's |
| Upland Density: | +/-13.8 DU/AC |
| Dedicated Civic Open Space: | +/-11.6 AC |
| Additional Open Space at 5%: | +/-0.70AC |
| Total Non-Residential Land Use: | +/-70,000 SF |

1. Dwelling Units:

| | |
|-------------------------|------------------------------------|
| Single Family Attached: | +/- 40 Units or 12% of Total DU's |
| Hotel: | +/- 140 Units or 41% of Total DU's |
| Multi Family: | +/- 160 Units or 47% of Total DU's |

| | |
|-----------------------|------------------------|
| Total Dwelling Units: | +/- 340 Dwelling Units |
|-----------------------|------------------------|

2. Non-Residential Land Uses:

| | |
|-----------------------------|---------------|
| Commercial, Retail & Office | +/- 70,000 SF |
|-----------------------------|---------------|

3. Parks and Open Space:

| | |
|--|------------|
| London Avenue Neighborhood Civic Open Space: | +/-10.6 AC |
| Paris Avenue Civic Open Space: | +/-1.0 AC |

Plus Additional Pedestrian Easements, Landscape Areas and Open Spaces at 5% of Remaining Upland Area at 0.70 AC.

Sec. 3.5 District Development Standards

The type of development and associate standards required within each district are as follows:

Table 3.0 Zoning Districts

| Zoning District | Type of Development Character |
|------------------------|--------------------------------------|
| BN | Residential Mixed Use |
| MV | Marina Mixed Use Village |
| PV | Hotel Mixed Use Village |
| COS | Civic Open Space |

3.5.1 Bluff Neighborhood (BN) Development Standards:

- a. **Density and Development Program:**
Within the Bluff Neighborhood (BN) District, there shall be a blend of residential products. Those products shall include single family detached in a variety of lot widths ranging from a minimum of 40 feet to a maximum of 70 feet; single family attached ranging from a minimum of 16 feet to a maximum of 30 feet, and multifamily units. The total base density shall not exceed, without conversions, 5.9 DU's per acre or 130 DU's, of which the multifamily shall comprise 20 DU's per building and comprise 34% of the total dwelling units allowed. Of the 34%, up to 30% shall be designed as "Large Homes" as described in the Traditional Town Overlay District Section 15.5-36 and shall be 8 DU's per building. Base density shall be calculated in upland acres.

Single Family Attached shall be 30% of the total dwelling units allowed and shall have 8 units attached within a single building.

Commercial land uses are allowed and as outlined under the conversion standards below.

- b. **Building Heights:**
A variety of building heights can occur within a block and height limits shall be as follows:
 - 1. Two (2) story limit (2 ½ stories with dormers), not to exceed 38 ft. measured from grade for single family detached and single family attached.
 - 2. Four (4) story height limit (4 ½ stories with dormers), not to exceed 50 ft. measured from grade, for large home and multi-family condominiums.All other applicable definitions and standards under Chapter 15.5 Article II of the Port Royal Code of Ordinances shall apply unless otherwise stated within the PUD.
- c. **Lot Standards:**
Required development standards shall be determined by the type of dwelling unit and or building type proposed. Refer to Chapter 15.5 Article II of the Port Royal Code of Ordinances.
- d. All other applicable development standards per the Town of Port Royal's Traditional Town Overlay District, Chapter 15.5 Article II shall apply.

- e. **Commercial and Residential Conversion:**
Property Owner and Developer shall have the right to (i) convert residential density into commercial density and exceed the base density of units as set forth in section 3.5.1(a) above plus any residential density allowed below.

For each acre converted from residential to commercial use, five thousand (5,000) additional square feet of commercial will be assigned to each acre or pro-rated portion thereof being converted and six (6)) residential units will be deducted from the maximum residential density permitted under section 3.5.1(a) above.

The conversion rate from single family to multi family, and multi family to single family, will be one to one.

The maximum number of multi-family condominiums and large home dwelling units added through conversions shall not exceed an amount greater than a 30% increase of the original amount allowed as described above in 3.5.1 (a). The maximum amount of commercial land use that can be added through conversions of residential land use shall not exceed 3 acres.

Real Property converted from residential land to commercial land pursuant to this paragraph shall be subject to the permitted uses, as described in the Development Plan, of the new land classification. Owner and Developer shall notify the Town of conversions as they occur.

The Mix of ratios of residential dwelling unit types listed in the development summary may be modified and unit types can be converted. Single family attached, detached and multifamily conversions can occur if the total number of dwelling units is not increased and the mixed use traditional neighborhood character is not compromised and if approved by PRDRS.

3.5.2 Marina Village (MV) Development Standards:

- a. **Density and Development Program:**
Within the Marina Village (MV) District, there shall be a mix of light industrial, retail and commercial and multi-family residential units. A base density of 10 multi-family residential DU's shall not be exceeded, without conversions, as a part of mixed-use buildings and/or single family attached and 20,000 square feet of retail, commercial and light industrial.
- b. **Building Heights:**
 1. Two (2) story height limit (2 ½ stories with dormers), not to exceed 38 ft. measured from grade, for restaurant and light industrial buildings not including dry stack storage.
 2. Two (2) to three (3) story height limit (3 ½ stories with dormers) not to exceed 48 ft. measured from grade, for multi-use buildings and dry stack storage.
- c. All other applicable development standards per the Town of Port Royal's Traditional Town Overlay District, Chapter 15.5 Article II shall apply.

- d. **Commercial and Residential Conversion:**
Property Owner and Developer shall have the right to (i) convert commercial density into residential density and exceed the base density of units as set forth in section 3.5.2(a) above, plus any commercial density allowed below, and (ii) convert residential density into commercial density and exceed the base density of square feet as set forth in section 3.5.2(a) above plus any residential density allowed below.

The conversion factor shall be an acre for acre exchange. For each acre converted from commercial land to residential land, two and one-half (2.5) residential units per upland acre will be assigned to each acre or pro-rated portion thereof being converted and five thousand (5,000) square feet of commercial will be deducted from the maximum commercial density permitted under section 3.5.2(a) above. For each acre converted from residential to commercial use, five thousand (5,000) additional square feet of commercial will be assigned to each acre or pro-rated portion thereof being converted and two and one-half (2.5) residential units will be deducted from the maximum residential density permitted under section 3.5.2(a) above.

The maximum number of multi-family units added through conversions shall not exceed an amount greater than a 30% increase of the original amount allowed as described above in 3.5.2 (a). The maximum amount of commercial land use that can be added through conversions of residential land use shall not exceed one acre.

Real Property converted from commercial land to residential land, or vice versa, pursuant to this paragraph shall be subject to the permitted uses, as described in the Development Plan, of the new land classification. Owner and Developer shall notify the Town of conversions as they occur.

The mix of ratios of residential dwelling unit types listed in the development summary may be modified and unit types can be converted. Single family attached and multifamily conversions can occur if the total number of dwelling units is not increased and the mixed use traditional neighborhood character is not compromised and if approved by PRDRS.

3.5.3 Port Village (PV) Development Standards:

- a. **Density and Development Program:**
Within the Port Village District, there shall be a mix of Retail and Commercial, Multifamily, Single Family Attached, and Hotel. The total base density shall not exceed, without conversions, 13.8 DU's per acre or 340 DU's, of which the Hotel shall comprise 140 rooms or 41% of the total dwelling units.

Single Family Attached shall comprise 40 DU's or 12% of the total base dwelling units.

Retail and Commercial shall comprise 70,000 square feet, total.

- a. **Building Heights:**
A variety of building heights can occur within a block and the height limits shall be as follows.

1. Two (2) story height limit (2 ½ stories with dormers), not to exceed 38 ft. measured from grade for single family detached and single family attached.
 2. Three (3) story height limit (3 ½ stories with dormers), not to exceed 50 ft measured from grade for multi-family condominiums.
 3. Four (4) story height limit (4 ½ stories with dormers), not to exceed 50 ft. measured from grade for condominiums over non-residential.
 4. Four (4) story height limit (4 ½ stories with dormers), not to exceed 58 ft. measured from grade or the pier if built on pier, for Hotel.
 5. Hotels or other significant buildings may exceed height limits if no taller than 4 ½ stories and if approved by PRDRS.
- All other applicable definitions and standards under Chapter 15 Article II of the Port Royal Zoning Ordinance shall apply unless otherwise stated within the PUD.

- c. Lot Standards:**
 Required development standards shall be determined by the type of dwelling unit or building type proposed unless otherwise stated with in the PUD. Refer to Chapter 15 Article II of the Port Royal Zoning Ordinances.

Hotel/Motel/Condominium Hotel:
 Hotel shall include but not be limited to Commercial Housing, Hotel/Motel, and Condominium Hotel.

| Hotel Development Standards: | |
|-------------------------------------|--|
| Lot Widths | Negotiated |
| Build-to Line locations | Negotiated |
| Side Setback | Negotiated |
| Building Frontage | Negotiated |
| Building Coverage | 75 Percent Maximum |
| Maximum Height | 4 Story (4 ½ stories with dormers) not to exceed 58 feet measured from grade and or the pier if built on pier |

Note:

1. Appurtenances may extend beyond the prescribed height limit with prior PRDRS approval.
2. Hotel buildings shall be sited in locations of particular geometric importance, such as anchoring a major civic open space at the existing pier, or termination of Paris Avenue.

- d.** All other applicable development standards per the Town of Port Royal's Traditional Town Overlay District, Chapter 15.5, Article II shall apply.

- f.** Conversion.

i. Commercial and Residential Conversion:

Property Owner and Developer shall have the right to (i) convert commercial density into residential density and exceed the base density of units as set forth

in section 3.5.3 (a) above plus any commercial density allowed below, and (ii) convert residential density into commercial density and exceed the base density of square feet as set forth in section 3.5.3 (a) above plus any residential density allowed below.

The conversion factor shall be an acre for acre exchange. For each acre converted from commercial land to residential land, ten (10) residential units per upland acre will be assigned to each acre or pro-rated portion thereof being converted and five thousand (5,000) square feet of commercial will be deducted from the maximum commercial density permitted under section 3.5.3 (a) above. For each acre converted from residential to commercial use, five thousand (5,000) additional square feet of commercial will be assigned to each acre or pro-rated portion thereof being converted and ten (10) residential units will be deducted from the maximum residential density permitted under paragraph (2) above.

Real Property converted from commercial land to residential land, or vice versa, pursuant to this paragraph shall be subject to the permitted uses, as described in the Regulating Plan, of the new land classification. Owner and Developer shall notify the Town of conversions as they occur.

ii. Hotel to Residential Conversion:

Property Owner and Developer shall have the right to (i) convert hotel density into residential density and exceed the base density of units as set forth in section 3.5.3(a) above plus any hotel density allowed below, and (ii) convert residential density into hotel density and exceed the base density of units as set forth in section 3.5.3(a) above plus any residential density allowed below.

The conversion factor shall be a unit for unit exchange. For each unit converted from hotel to residential, three (3) hotel units/rooms will be assigned to one (1) residential unit being converted and three (3) Hotel units/rooms will be deducted from the maximum Hotel density permitted under section 3.5.2(a) above. For each unit converted from residential to Hotel unit/room use, three (3) hotel units/rooms will be assigned being converted and one (1) residential units will be deducted from the maximum residential density permitted under section 3.5.2(a) above.

Real Property converted from hotel unit/room to residential unit, or vice versa, pursuant to this paragraph shall be subject to the permitted uses, as described in the Regulating Plan, of the new land classification. Owner and Developer shall notify the Town of conversions as they occur.

The maximum number of condominium and multifamily dwelling units added through conversions shall not exceed an amount greater than a 30% increase of the original amount. The maximum amount of commercial land use that can be added through conversions of residential land use shall not exceed 5 acres. The maximum number of hotel rooms achieved through conversions shall not exceed an amount greater than a 50% increase of the original number of rooms allowed.

The mix of ratios of residential dwelling unit types listed in the development summary may be modified and unit types can be converted. Single family attached, detached and multifamily conversions can occur if the total number of

dwelling units is not increased and the mixed use traditional neighborhood character is not compromised and if approved by PRDRS.

3.5.4 Open Space (OS) Development Standards:

- a. **Density and Development Program:**
Within the Port Village and the Bluff Neighborhood, there shall be a total of 12.2 acres dedicated to Civic Open Space. This dedicated land shall be considered a passive recreation area and be dedicated as follows:
- i. The Port Village shall include the London Avenue Park consisting of the +/- 2.0 acre parcel and the +/-8.6 acre parcel shall be maintained as park space. The park may include but is not limited to plazas, fountains, landscape, pavilions, gazebos, shelters, boardwalks/promenades, open lawn for community events, parking, and other recreational facilities. A 0.24 AC parcel located within London Ave Park may be developed as an interpretive museum. Refer to the Development Agreement for conveyance and additional details.
 - ii. The Port Village shall include a +/-1.0 acre civic open space located at the convergence of Paris Avenue and Battery Creek Avenue between PV1 and PV4. The park may include but not be limited to plazas, fountains, landscape, pavilions, gazebos, shelters, boardwalks/promenades and open lawn for community events, parking and other recreational facilities.
 - iii. The Bluff Neighborhood shall include the +/- 1.2 acre Bluff Neighborhood Park. This park may be distributed among as many as four (4) smaller parks within the Bluff Neighborhood; provided however this provision shall not be deemed to reduce the 5% open space requirement within the neighborhood. The park or parks may include but not be limited to plazas, fountains, landscape, pavilions, gazebos, shelters, boardwalks/promenades and open lawn for community events, parking and other recreational facilities.
- b. **Public Waterfront Easements:**
There shall be a minimum 20 ft wide waterfront public access easement located along the entire edge of Battery Creek as indicated on the Regulatory Plan. This easement may include accessory structures, bike trails, board walks, promenades, fishing piers, community docks and sidewalks. This easement shall be included within the 5% open space required as indicated in Sec 5.3 of the PUD document and shall be configured in such a way as to allow for the public access way to be placed along the top of the bluff in the Bluff Neighborhood.

Prior to the conveyance of any portion of the Real Property, the SCSPA shall convey to the Town a perpetual, non-exclusive, provable, transmittable and movable easement for commercial purposes, no less than 20 feet in width, along the critical area, as shown on Exhibit A-1, that allows the Town and members of the general public access to, over, across and upon the Promenade Pedestrian Waterfront Walkway (the "PPWW") and trail as generally depicted on the Regulating Plan, attached hereto as Exhibit B (the "Promenade/Promenade

Easement"). The terms of the Promenade Easement shall be subject to the review and approval of the Town, and shall incorporate provisions that permit the general public access to the Promenade and the right of use of the same, subject only to such rules and regulations as may be implemented by the Town, and that require mortgagees of the fee underlying the Promenade Easement to subordinate their interests to the rights of the Town and public in and to the Promenade Easement. The Promenade Easement granted by the SCSPA will provide that initial successors-in-title of the SCSPA may relocate and/or enlarge the Promenade Easement, with the prior approval of the Town, to accommodate good design standards for Development. To the extent any such relocation or enlargement impinges on property subject to a mortgage, it shall be the responsibility of the Property Owner to secure the assent of the mortgagee to the relocation and/or enlargement and a subordination of the mortgagee's interest to the rights of the Town and the public in the Promenade Easement as relocated and/or enlarged.

The initial successor(s)-in-title to the SCSPA of the Port Village, Marina Village and Bluff Neighborhood parcels, as are collectively described in Exhibit B, shall be required to survey, dedicate by deed and plat and improve the Promenade Easement. The survey/plat of the Promenade Easement shall include a dedication thereof to the public and provide for acceptance by the Town, and include notice that all mortgagees of the fee underlying the Promenade Easement shall be required to subordinate their interests to the rights of the Town and public in and to the Promenade Easement. The survey and dedication of the Promenade Easement shall be required the earlier of: (1) prior to any Development Permit being issued on the applicable parcel(s); or (2) four and one-half (4 ½) years following the commencement of the Term of this Agreement. No certificates of occupancy shall be issued for any Development on Port Village, Marina Village, and the Bluff Neighborhood parcels until the Promenade Easement within such parcels has been dedicated and either been improved so as to allow public pedestrian access or appropriate financial assurances, which shall be satisfactory to the Town, are in place for its improvement in accordance with a schedule approved by the Town. At the request of the Town, the owner of parcels that include the Promenade Easement agree to execute such documents as may be necessary to assure the Town has or will have rights in an easement. The Town shall have the right to approve the plan for improvements within the easement and to require appropriate lighting, construction materials, consistency of design, safety features, trash disposal facilities, etc. to be incorporated in the improvements, which shall be constructed by the respective Property Owner at the earliest time feasible so as to facilitate the use by the public of the PPWW.

ARTICLE 4.0 Use Regulations

The following use standards shall apply to all permitted uses, as set forth in the district regulations of Article 3.0.

Sec. 4.1 Wireless Telecommunications Facilities

All wireless telecommunications facilities shall comply with Section 22-148 of the Zoning Ordinance. In addition, the following criteria shall also apply:

- a. All wireless facilities, including ground equipment, shall be of stealth design.
- b. Within MV and PV, a wireless facility shall be incorporated into the architecture of building within the district containing a use or uses other than equipment supporting the telecommunications facility.

Sec. 4.2 Accessory Dwelling

Accessory dwellings shall be limited to one for each principal Single Family Detached dwelling. An accessory dwelling shall not be included in the density calculation.

Sec. 4.3 Marina

4.3.1 Criteria for Creation of a Marina:

The following criteria shall apply to the creation of a marina in any district.

a. General Standards

- i. A new marina facility may be constructed with up to 225 slips and may generally be placed in Battery Creek from 11th street to 6 ½ street; provided however, it shall not impede navigation to the existing dock at 11th street in front of Dockside Restaurant. Within the marina, the developer will maintain 10 slips for public use at a location to be determined at his sole discretion. The existing pier #601 may remain and may add up to an additional 600 LF of large boat dockage as allowed by the regulations set forth by the applicable governing agencies. All necessary reviews and permits shall be the responsibility of the marina and/or dock developer.
- ii. Parking requirements for the Marina shall be one (1) space per five (5) slips which can be a part of an overall shared parking plan much of which could be placed as either on street perpendicular or parallel parking on Battery Creek Avenue and other streets.
- iii. Marina and associated uses could be located in either the Port Village or the Marina Village and could include full service marina operations, fuel sales, a marina store, and other associated marina support facilities and activities.

ARTICLE 5.0 Community General Development Requirements

Sec. 5.1 General

The standards in this section are intended to apply to all development, except as expressly set forth below. These standards supplement those found elsewhere in the Town of Port Royal Code of Ordinances. Where there is a conflict in regulations, the standards of this PUD shall apply.

Sec. 5.2 Subdivision Plats, Site Plans , Architecture and Street Section Review.

5.2.1 Subdivision Plats. All subdivision of land shall comply with the Town of Port Royal Code of Ordinances. No subdivision of a tract shall be allowed until a Master Plan for such tract has been approved by PRDRS and applicable departments and agencies.

5.2.2 Site Development Plans. A Master Plan for a tract shall have been approved by the Town Staff and/or applicable departments and agencies prior to submittal of a general site development plan.

5.2.3 Architecture Review. Building elevations and massing are subject to approval by PRDRS.

5.2.4 Street Sections: Street sections for each street within the PUD shall be submitted for review and approval by PRDRS.

Sec. 5.3 Open Space

The PUD shall not have less than five (5) percent community open space in addition to the civic open spaces. Community open space includes greenways, sidewalks, riverfront boardwalks/promenades, parks, wetlands and wetland buffers, landscape areas, pier, storm water drainage areas, and shall be based on net upland acreage minus civic open spaces.

5.3.1 Bluff Neighborhood Standards

Open space shall be provided as follows:

- a. A total of 5% of net upland acres.
- b. A waterfront public walkway and easement must be provided along top of the bluff at Battery Creek from the extension of 16th Street to the Marina Village.
- c. There shall be no fewer than four (4) public accesses from Battery Creek Avenue to the waterfront public walkway and easement. These public access/easements shall be no less than 10 feet in width and regularly spaced.
- d. Fishing Piers and Community Docks, up to two, are allowed within this district, and shall require the appropriate review and approvals of the applicable governing agencies prior to construction.

5.3.2 Marina Village Standards

Open space shall be provided as follows:

- a. A total of 5% of net upland acres.

- b. A waterfront public walkway and easement must be extended from the Bluff Neighborhood to the Port Village along and paralleling Battery Creek. If there is a conflict between any future dry stack storage/marina facility and the promenade, the developer shall be responsible for adequate resolution of conflicts between pedestrians and marina functions.

5.3.3 Port Village Standards

Open Space shall be provided as follows:

- a. A total of 5% of net upland acres.
- b. A waterfront public walkway/promenade and easement must extend from the Marina Village to the London Avenue Park and connect to the Sands area beach access boardwalk.

Sec. 5.4 Streetscapes, Landscaping and Tree Preservation

5.4.1 General Requirements. Streetscapes shall include the planting of trees and shrubs at entries, intersections and focal points. Within the Right-of-Way, minimum 5' wide sidewalks on both sides of the street shall be provided with a minimum 6' wide tree lawn in Residential areas. Within residential districts, street trees shall have an average spacing of 50 feet on center on both sides of the road and within the tree lawn area. Lanes and alleys shall be exempt from this requirement. All required canopy trees (hardwoods) shall be a minimum of 10 feet tall with a minimum 2½" caliper. Where possible, drought resistant plant materials are encouraged.

5.4.2 Port Village Guidelines.

- a. Street trees shall average 50' on center along both sides of all roads within the Port Village. Lanes and alleys may be considered for exemption with prior PRDRS approval.
- b. Landscaping plans for open spaces and parks shall be submitted to and approved by PRDRS.

5.4.3 General Landscape Guidelines. There shall be a conscious intent to preserve existing trees where practical. Concept landscape plans submitted for review shall include the size, species and location of all new plantings, existing trees to be saved, and all grasses and mulched areas. All commercial landscapes and neighborhood entries are to be irrigated and landscaped for approval by PRDRS. Landscape designs are to address three main concerns: (1) they must be complementary to the architectural style of the building or entry, (2) they must screen all service, utility and equipment areas and, (3) they must provide shade for and screening of parking areas. Plant material is encouraged to be native to the region.

Sec. 5.5 Service Areas and Loading Docks.

5.5.1 Location. Refuse areas, storage, loading and truck parking shall be located so as to minimize visibility from streets, sidewalks and leisure trails. Loading docks shall be limited to commercial parcels and village parcels. Location and aesthetic treatment shall require PRDRS approval.

5.5.2 Screening. All exterior trash receptacles shall be screened from public view on three sides and on the fourth side by a gate that screens the receptacles from view. The enclosure and gate should be made of materials compatible to that of the primary structure.

5.5.3 Loading Docks. Loading docks and truck parking shall be screened from public view using building mass, screen walls and/or landscaping.

Sec. 5.6 Utilities and Utility Screening

5.6.1 Location. The following utilities shall be located underground to the extent possible: potable water supply, distribution systems and backflow preventers; wastewater collection, treatment, and disposal; irrigation, power, cable television, telephone, broadband multi-use transmission; and other utility services. Temporary overhead power lines shall be allowed during construction.

Sec. 5.7 Streets and Traffic Impact

5.7.1 Road and Street Design Standards. All roads and streets shall be public and constructed to all applicable standards except where otherwise modified herein.

a. Modifications. A modification to Town standards not identified herein shall require the approval of the Town Engineer and or PRDRS.

b. Road and Street Pattern. All streets shall be in a grid or broken grid pattern and alleys shall be encouraged.

5.7.2 Vehicular Access Points. Vehicular access points on primary roads shall be determined at the time of Master Plan submittal for individual tracts. The following criteria shall apply:

a. Access points shall be planned to minimize the number of intersections while providing adequate ingress and egress.

b. Access points shall be planned so that centerlines align with the access point on the opposite side of the road where possible, to form a four-way perpendicular intersection.

Sec. 5.8 Sidewalks and Pedestrian Leisure Trails

5.8.1 General Requirements. All tracts within the PUD shall be linked by a system of pedestrian sidewalks. The use of pervious paving is encouraged where appropriate.

a. Residential Standards.

i. Residential neighborhoods shall be required to have sidewalks (5' min. width) along both sides of all streets with a 6 foot wide tree lawn between the sidewalk and back of curb. The sidewalk system shall link to the community open space system, public waterfront easement and adjacent streets and sidewalks.

b. Mixed Use Village Standards.

- i. Entry plazas will be along the entire front of all buildings. Entry plazas shall consist of both paving and landscape.
- ii. All buildings in Mixed Use Villages shall meet the following criteria:
 - a. Sidewalk widths shall be as follows: 10' wide (minimum and including tree openings in approved locations) along the storefronts of retail shops and restaurants; 5' wide for pedestrian connections from shops/restaurants to parking areas; and 5' wide sidewalks adjacent to streets, with 6 foot tree planting areas.
 - b. Whenever sidewalks cross drives, a highly visible crosswalk is required. The crosswalk should utilize materials that provide strong contrasts with the vehicular surface and may be set apart by concrete in asphalt, pavers, or other approved materials.
 - c. Sidewalks or sidewalk connections shall tie to the community wide open space, public waterfront easement and adjacent streets and sidewalks.

Sec. 5.9 Parking

5.9.1 General Standards. All parking shall comply with Sec 15.5-30 of the Traditional Town Overlay District unless otherwise identified herein.

5.9.2 Location. In non-residential areas, no parking area or structure shall be allowed within a required buffer or setback.

5.9.3 Parking Spaces Required by Type of Development

a. Table 4.0 Residential

| Type of Dwelling Unit | # of Off-street Spaces Required per Type of Dwelling Unit |
|-------------------------------------|---|
| Single family detached and attached | 2.0 |
| Accessory Dwelling | 1.0 |
| Multi-Family Studio | 1.0 |
| Multi-Family One-bedroom | 1.25 |
| Multi-Family Two-bedrooms | 1.50 |
| Multi-Family Three or more bedrooms | 1.75 |

b. Table 4.1 Villages

- i. The requirements of the Town of Port Royal's Code of Ordinances shall apply with the following exceptions:

| ii. Type of Dwelling Unit | # of Off-street Spaces Required |
|--|---------------------------------|
| Single family attached and detached | 2.0 per DU |
| Accessory Dwelling | 1.0 per DU |
| Dwelling above Commercial or: Multi-Family (Studio) | 1.0 per DU |
| Multi-Family (One-bedroom) | 1.25 per DU |
| Multi-Family (Two-bedrooms) | 1.50 per DU |
| Multi-Family (Three or more bedrooms) | 1.75 per DU |

- iii. For non-residential uses there shall be no more than 3 spaces per 1000 sf and no less than 1 space per 1000sf.
- iv. A 5% reduction in the total number of required parking spaces may be allowed with approval by the PRDRS when a building is used or occupied by two or more uses which typically do not experience peak parking demands at the same time.
- v. A reduction greater than 5% requires shared parking analysis based on the guidelines of Shared Parking, Second Edition, Mary S. Smith, Urban Land Institute, 2005 and must receive approval by PRDRS.
- vi. Parking lots should be located behind buildings or within the interior of a block whenever possible. Parking under residential condominium buildings within the Bluff Neighborhood (BN) and the Port Village (PV) is allowed. Parking under multi-use buildings behind non-residential street frontage is allowed within the Port Village (PV).
- vii. Parking island dimensions shall be in accordance with the Section 15.5-30.
- viii. Parking areas located along primary routes of travel shall be screened from adjacent roads and sidewalks.
- ix. On-street parking will be provided where possible in accordance with the Town of Port Royal Code of Ordinances.

Sec. 5.10 Lighting

5.10.1 Lighting by Type of Development.

Street lights, including posts and fixtures, can vary to work aesthetically with the neighborhood theme and signage program, but shall require approval from the PRDRS. Full cut-off fixtures shall be encouraged.

Sec. 5.11 Signage

Refer to Article II Traditional Town Overlay District General Provisions for approved signage ordinances and references to Chapter 22 Article V.

ARTICLE 6.0 Definitions.

Sec. 6.1 General

Where this section specifies a defined term that includes the phrase, "any similar use," such interpretation shall be made by the Zoning Administrator. The definitions herein pertain only to the PUD. Definitions included within the Zoning Ordinance but not herein shall also apply.

Sec. 6.2 Defined Terms

1. **Accessory Dwelling:** A building that is subordinate to and attached or detached from the principal dwelling. The accessory dwelling shall be no more than 30% of the principal dwelling unit gross square feet or 900 gross square feet, whichever is less. Manufactured/mobile housing units, shipping containers, and recreational vehicles are not accessory dwellings.
2. **Accessory Structure:** A detached building or structure which is subordinate to the principal building/facility on a lot and used for a purpose customarily incidental to the principal use, including but not limited to garages, greenhouses, swimming pools, tennis courts, cable satellite antenna or other non-commercial radio transmitting/receiving antenna. Manufactured/mobile housing units, shipping containers, and recreational vehicles are not accessory structures.
3. **Accessory Use:** An incidental and subordinate use that is customarily associated with the principal use of the lot or building located on the same lot as the principal use.
4. **Amusement or Recreation Activities (carried on wholly in a building):** Establishments offering amusement or recreational activities for families or groups such as roller skating, video arcades and the like. No amusement or recreation activities shall be permitted outside of the building.
5. **Animal Hospital, Veterinary Clinic, Grooming (no boarding):** A veterinary clinic ran by a licensed veterinarian. No animal boarding shall be allowed
6. **Antique Shop:** Establishments offering the sale of antiques. All products for sale must be located within the principle building.
7. **Studio and/or Gallery:** A studio that may offer education in or be used for the creation and/or sale of works of art.
8. **Assisted Living Unit (Care Home):** A rest home, nursing home, convalescent home, boarding home for the aged or similar use established to render domiciliary care for chronic or convalescent patients, but not including facilities for the care of patients with mental illness or alcohol or drug addiction.
9. **Auto Parking Lot or Garage (no gas):** A secured area or structure used for the commercial operation of long or short term auto parking and/or storage.
10. **Auto Service Station (minor repairs allowed):** A building in which the business of general motor vehicle repair and service is conducted, but excluding a junk or auto wrecking business.

11. **Banks and Offices:** Establishments associated with banking both walk in and/or drive up and office space for use by business and/or professional services, consultants, agents, and the like.
12. **Bicycle Shop and or Sporting Goods:** Establishments associated with the sale and repair of bicycles and sporting goods. All bicycle or sporting goods display and repair must be carried on wholly in a building.
13. **Block:** A division or parcel of land entirely surrounded by rights of ways, natural features or dedicated open space.
14. **Book and/or Stationary Store:** Establishments associated with the sale and/or rental of new and used books, stationary and other sundry products. Associated uses within the store may include coffee bars.
15. **Build to Line:** A prescribed location to which a building's façade must be placed.
16. **Building Height:** Building heights shall be measured from grade to the highest point of the structure, excluding chimneys, cupolas and other approved appurtenances.
17. **Ceramic Studio and/or Shop:** Establishments offering training, lessons, and sales of ceramic ornaments for painting and firing.
18. **Child Care Center:** A building and an outdoor area designed or altered and used for the care and instruction of two or more children (excluding members of the family occupying the premises) for any part of any day and operated on a regular basis.
19. **Clothing Stores and Dry Goods:** Establishments offering the sale of clothing, dry goods and accessories.
20. **Churches and Places of Worship:** A building used for the primary purpose of religious worship.
21. **Club or Lodge:** An incorporated or unincorporated association of civic, social, cultural, religious, literary, political, and recreational or like activities, but not including shooting clubs operated for the benefit of their members and not open to the general public.
22. **Commercial Wireless Communication Towers and Facilities:** [Reserved.]
23. **Community Recreation:** Any premise (private) where the principle use is the provision of outdoor recreation such as athletic facilities, sports, and games.
24. **Civic Open Space:** An area that provides public gathering space and includes open space (plazas, parks) for social activity.
25. **Craft Shops:** Establishment associated with the sale and/or instruction of crafts and hobbies such as sewing, stamping, model building and the like.
26. **Convenience Store:** Establishment associated with the sale of convenience goods such as soft drinks, beer, water, chips, candy, gum and the like.

27. **Dwelling:** One or more rooms designed as a unit, including a kitchen, bathroom and sleeping area, to provide complete housekeeping facilities for one family.
28. **Dwelling, Above Commercial:** A single family dwelling that is located above a commercial property and contains its own separate entry.
29. **Dwelling, Detached:** A dwelling which does not share party or lot-line walls with any adjacent building.
30. **Dwelling, Multi-Family:** A building with multiple dwelling units. Units may have either private or shared access. Units may be arranged in a variety of configurations including back to back, side to side, vertical or any combination thereof.
31. **Dwelling, Single Family Attached:** A building containing attached dwellings, each of which are located on a fee simple lot and have their own private entrance.
32. **Dwelling, Single Family Detached:** A stand-alone building containing only one dwelling unit.
33. **Eleemosynary or Philanthropic Institutions:** A not-for-profit organization that provides a variety of services to its members or the community but does not provide sleeping accommodations or daily meals. Institutions included under this definition are those which promote the safety, health, and general welfare of the community.
34. **Electronic Sales and Service Stores:** Establishments offering the sale and or service of electronic equipment and devices.
35. **Evergreen Buffer Hedge:** A grouping of evergreen shrubs planted in close proximity to one another in order to provide a barrier or screen.
36. **Facilities for Fishing, Boating and Swimming:** Establishments offering the use of fishing, boating and/or swimming equipment and faculties. The facilities may be either indoor or outdoor and may be either for profit or non-profit.
37. **Florist Shops:** Establishments offering the sale and delivery of ornamental flowers, wreaths, plants and garden ornaments.
38. **Food Stores and Drug Stores:** Grocery stores offering the sale of general groceries, bakery goods, delicatessen goods, floral goods, photo shops and the like. Drug store may be within the food store or separate. Drug stores/pharmacy are a building or part of a building used or intended to be used for the specific purpose of preparing, compounding and dispensing medicines, medications and personal hygienic needs. The drug store shall be allowed to have drive up facilities.
39. **Funeral Homes:** Establishments offering assistance and sales of materials associated with funerals excluding crematories.
40. **Grocery, Confectionary, Bakery, Pastry Shop and Similar Neighborhood Facilities:** Neighborhood scale, boutique style shops offering the sale of specialty groceries, confections, bakery goods, and the like.

- 41. Hobby and Toy Stores:** Establishments offering the sale of hobby, craft, toys, and games. The establishments may offer craft and or hobby related classes.
- 42. Home Furnishing and/or Hardware Stores:** Establishments offering the sale of new or used furniture, hardware goods, power tools and interior home improvement materials.
- 43. Care Homes:** Any institution receiving inpatients or a public institution receiving outpatients and authorized under state law to render medical, surgical or obstetrical care.
- 44. Hotel, Motel:** A lodging establishment consisting of one or more attached or detached buildings containing more than 15 bedrooms or suites to transient guests. No extended stay facilities will be allowed. Ancillary (accessory use) uses may include restaurants, newsstands, gift shops, snack bars or lounges catering primarily to guests, meeting or conference facilities within or adjacent to the primary building, but designed to cater primarily to guests of the facility, and service facilities.
- 45. Inn:** This designation is for establishments providing for an Inn with short term occupancy, including but not limited to, hotels, motels, bed and breakfast inns, inns and apartment accommodations up to 15 rooms. Ancillary (accessory use) uses may include restaurants, newsstands, gift shops, snack bars or lounges catering primarily to guests, meeting or conference facilities within or adjacent to the primary building, but designed to cater primarily to guests of the facility, and service facilities. Additional accessory uses may include campgrounds and recreation and vacation camps, parking lots, swimming pools, tennis courts, playgrounds, laundry rooms and the like designed to serve guests of the establishment.
- 46. Institutional:**
- Education establishments providing for mental development and enlightenment of the individual, including universities and colleges, kindergartens, primary and secondary schools, music, dance, craft and art schools, business and other specialized training schools.
 - Cultural and arts establishments providing for the mental development and enlightenment of the individual and the development of the display and the performing arts, including museums, libraries, art galleries when non-profit and rehearsal and administrative activities associated with orchestral, choral, opera, ballet, dance, theatrical and other performing arts, but not including theaters or other structures and their associated activities when operated as commercial establishments. Also including private and semi-private clubs, lodges, union halls, social centers, and similar establishments.
 - Religion establishments providing for religious services and development, including churches, temples, synagogues, and educational buildings.
- 47. Interior Decorating Business:** Professional consulting firm associated with the design and sales of home, office, club and the like interior decorating.
- 48. Jewelry Stores:** Establishments associated with the sale and or service of new and used jewelry and other fine gifts.
- 49. Laundromats/Dry Cleaning:** Establishments offering the use of on premise washing and drying machines. Ancillary uses may include the sale of laundry goods, beverages and other convenience items associated with the permitted use.

- 50. Leather Goods and Luggage Stores:** Establishments offering for sale of luggage and or leather good items such as belts, purses and baggage, and other clothing items.
- 51. Limited Use Retail Shop:** Establishments offering limited use retail items such as specialty products which are not produced or manufactured on the premises and are limited to or associated with a single product line of merchandise directed to a specific consumer market. Includes pet stores, specialty food stores, bicycle shops, personal micro and/or mini computer sales or similar uses does not include the sale, service or repair of motorized vehicles, including automotive parts, repair or service stores, tire shops, gasoline sales, package stores or similar uses nor any outdoor display or storage of materials, supplies or products.
- 52. Marina:** A dock or basin (public and or private) providing secure moorings for pleasure boats and may offer supply, repair and other facilities.
- 53. Marine and Fishing Supply Store:** Establishments offering the sale of marine and fishing related items. Service can be allowed if within the building the establishment occupies. Live Bait may be allowed with required permits and regulations followed.
- 54. Master Developer:** (a) the South Carolina State Ports Authority (“SCSPA”); (b) the initial person(s), firm(s), or entity that acquires title to the Port Village, as depicted on Exhibit B attached hereto, from the SCSPA (the “Initial Developer”); or (c) the successor in title or assignee of the Initial Developer, which successor or assignee must be approved by the Town.
- 55. Minor Developer:** A developer who owns only one tract within the PUD.
- 56. Mixed Use Residential:** A building designed to accommodate a mix of conforming residential and nonresidential uses consisting of retail sales, personal services or offices.
- 57. Model Homes/Sales Center:** This designation allows for the model homes and office/administrative facilities (including temporary trailer facilities) that shall be considered an accessory use associated with the primary sales of on site residential lots and homes within the Port Royal PUD. The facility(s) may be permanent in nature with the model homes being sold as single family residences in the future or the facility(s) may relocate from time to time during the period of development to meet the needs of development phasing.
- 58. Music Stores:** Establishments offering for sale music new or used and other related items. Associated uses within the store may include coffee bars and cafes.
- 59. Museums and Libraries:** an institution (public and or private) devoted to the procurement, care, study and display of objects. Associated uses may occur such as coffee bars and gift shops within the square footage of the establishment.
- 60. Newsstand:** Establishments offering newspapers and periodicals for sale.
- 61. Office, General:** A facility generally focusing on business, government, professional or financial services.

- 62. Office, Medical:** A medical facility in which a doctor, dentist, psychiatrist, physician's assistant, nurse practitioner or similar medial provider treats or counsels patients.
- 63. Office, Professional:** Offices of recognized professions, including accountants, architects, dentists, doctors, engineers, lawyers, or other related occupations which are located in the same structure.
- 64. Photography stores and Photographic Studios:** Establishments offering the professional services of photography sessions and or developing and sales of photographic equipment.
- 65. Post Office:** Office established by United States Postal Service.
- 66. Private or Parochial Schools:** Schools run privately or by a religious organization. Tuition payments are generally required for students to attend. Accessory uses may include ball fields, playgrounds, stadiums and the like.
- 67. Public Parking:** Parking either on street or off street provided for the public.
- 68. Public Schools:** Education facilities provided by local government for use by the general public.
- 69. Public Use:** Buildings, structures and uses of land operated by a government unit or government agency, including but not restricted to public schools, fire stations, recreation sites and facilities and public utilities.
- 70. Public Uses:** Uses of a public or government nature, including, but not restricted to, fire and police stations, and public park and recreational facilities.
- 71. Public Utilities (subject to proof of need):** As used in this chapter, a public utility shall only be defined to include pipelines, power transmission lines, telephone and telegraph lines, railroad tracks but not a railroad yard, and such related public utility structure or station necessary for the installation and maintenance of utility services.
- 72. Recreational Vehicle and Boat Storage (subject to screening requirements):** Areas or structures used for long term storage of recreational vehicles or boats. Security fencing with opaque landscape screening is required.
- 73. Restaurants (alcohol service allowed):** An establishment in which customers purchase meals and/or beverages.
- 74. Salon and Health Spa:** An establishment, which can provide hairdressing, facials, manicures and other related items as allowed within town and state regulations.
- 75. Shrub:** A woody and fibrous perennial plant of small stature having multiple permanent stems and displaying an upright growth habit.
- 76. Tailor Shop:** Establishment offering the alteration, repair and custom making of clothing.
- 77. Theater (other than Drive-in):** An establishment for dramatic performances or for showing motion pictures.

- 78. Travel Agency:** An establishment engaged in selling and arranging transportation, accommodations, tours, and trips for travelers.
- 79. Utility Corral:** An area consisting of a cluster or grouping of above ground utility components such as but not limited to transformers, backflow preventions, utility boxes or large pieces of mechanical equipment.
- 80. Village:** An area that allows retail sites, personal services, office use, public use, and residential uses. Uniform site development standards shall be applied throughout the village.